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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA, SOUTHERN DIVISION

ANDREA HOLLINGSWORTH, an individual; A.R.H., a minor by and through her legal guardian and/or parent, Andrea Hollingsworth; and A.D.H., a minor by and through her legal guardian and/or parent, Andrea Hollingsworth,

Plaintiffs,

vs.

CITY OF NORTH LAS VEGAS, Nevada, a Municipal Corporation; JACQUELINE GRAVATT, in her official capacity as Chief of the North Las Vegas Police Department; MICHAEL L. ROSE, an individual; ERIC SPANNBAUER, an individual; DOES I -X,

Defendants.

CASE NO. 2:21-cv-2230-CDS-NJK
ORDER GRANTING
DEFENDANTS CITY OF NORTH LAS VEGAS, CHIEF JACQUELINE GRAVATT, AND OFFICERS MICHAEL ROSE AND ERIC SPANNBAUER'S
JOINT MOTION TO AMEND
DEPOSITION SCHEDULE

COME NOW Defendants North Las Vegas Police Department Chief JACQUELINE GRAVATT, and Officers MICHAEL L. ROSE, and ERIC SPANNBAUER ("Defendants"), by and through his counsel, Robert W. Freeman, Esq., Frank A. Toddre, II, Esq., and E. Matthew Freeman, Esq., of LEWIS BRISBOIS BISGAARD & SMITH, LLP, and hereby submit this Joint Motion to Amend Deposition Schedule.

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DECLARATION OF COUNSEL

Frank A. Toddre, Esq., declares as follows:

1. I am an attorney licensed to practice law in Nevada, where I work as a Partner in the Las Vegas office of Lewis Brisbois Bisgaard & Smith LLP (“Lewis Brisbois”). Lewis Brisbois is counsel of record for Defendants in this matter. I have personal knowledge of the facts attested to in this declaration and am competent to testify to the same if called upon to do so. I am over the age of 18.
2. The opposing party has reviewed the proposed motion and does not oppose the proposed dates/scheduling order.
3. The parties continue to work in good faith in scheduling these depositions in accordance with this Court’s directives.
4. I declare under penalty of perjury, pursuant to NRS 53.045, that the foregoing statements are true and correct.

DATED this 23rd day of February 2024.

/s/ Frank A. Toddre
FRANK A TODDRE

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION/PROCEDURAL HISTORY

The Parties bring to this Court a newly amended deposition schedule to accommodate shifting availabilities, party logistical matters, and ongoing discovery issues and supplementation. This is the fifth requested amendment.

The Parties previously submitted a Joint Stipulated Deposition Schedule (ECF No. 55), which was approved by the Court (ECF No. 56, the “Deposition Scheduling Order”). The Court then approved submissions from the Parties seeking amendment to that schedule (ECF Nos. 61, 65). In directing the Parties to submit the deposition schedule, the Court previously ordered that [t]he dates set therein cannot be modified by agreement of the parties without obtaining the Court’s approval” (ECF No. 49). The current controlling order setting dates was set forth by this court on February 2, 2024. (ECF No. 72)¹

II. PROPOSED SCHEDULING ORDER

The Parties thus request that the Deposition Scheduling Order be amended accordingly and as follows: **(New Dates in Bold)**

Deponent Name	Date
<i>Bradley Wine</i>	1/18/2024 (Completed)
<i>Joshua Odoms</i>	1/22/2024 (Completed)
<i>Chris Miller</i>	1/24/2024 (Completed)
<i>Rochelle Hinojosa</i>	1/29/2024
Jesenia Mangual	2/7/2024 (Completed)
Eric Spannbauer	2/8/2024 (Partially Completed)
Michael Rose	2/22/2024² (Partially completed)
A.R.H	2/25/2024
A.D.H.	2/25/2024

¹ Submitted by stipulation (ECF NO. 69)

² The Parties moved this deposition from February 14, 2024, and February 21, 2024, to allow time for Defendants to produce supplements to certain interrogatory responses following questions Plaintiffs raised after the deposition of Defendant Spannbauer.

Deponent Name	Date
Jonathan Ramirez	2/29/2024
Eric Spannbauer Part 2	03/01/2024 ³
30(b)(6) City of North Las Vegas	03/06/2024 ⁴
Michael Rose, Part 2	03/07/2024 ⁵
Latina Jones	3/08/2024
Andrea Hollingsworth	03/11/2024 and 03/12/2024
Yolanda Saip	3/13/2024 ⁶
Defendants' Expert	4/22/2024 and 4/2024
Plaintiffs' Expert(s)	04/16/2024 and 4/26/2024

ORDER

IT IS SO ORDERED.

Dated: February 26, 2024


 Nancy J. Koppe
 United States Magistrate Judge

³ This is a continuation of the first deposition which had been suspended.

⁴ Depending on number of designees, more than one (1) day may be required. the Parties will seek amendment of this order if necessary consistent with the Court's Order.

⁵ This is a continuation of the first deposition which had been suspended.

⁶ This deposition had to be moved from the prior date because Ms. McLetchie contracted COVID-19; Officer Saip did not have availability to reschedule until this date.